

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SANDRA ELLIS,

Plaintiff,

Case No. 06-11813

v.

Honorable John Corbett O'Meara

WEST ASSET MANAGEMENT, INC.,
et al.,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Sandra Ellis filed a three-count complaint in this court alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a(6); the Michigan Occupational Code; and the Michigan Debt Collection Practices Act.

While alleged violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1343, Counts II and III are based solely on state law. Since the parties to this matter are not diverse, this court declines to exercise supplemental jurisdiction over these claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts II and III are **DISMISSED**.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: May 10, 2006